

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KEVIN OMAR HARPER,

Plaintiff,

v.

JOHN DOE C.O., C.O. KROMBOS,
JOHN DOE L.T., SUZANNE WENDLANT,
JOHN DOE 3RD SHIFT CORRECTIONAL
OFFICERS, and JANE DOE,

Defendants.

ORDER

19-cv-923-jdp

Pro se plaintiff Kevin Omar Harper filed this civil action under 42 U.S.C. § 1983 against prison staff at Dodge Correctional Institution, contending that defendants violated his Eighth Amendment rights by failing to provide him adequate medical treatment for his asthma and a head wound. Defendants have filed a motion under 28 U.S.C. § 1406(a) to dismiss the case or transfer it to the Eastern District of Wisconsin, on the grounds that all of the defendants reside in the Eastern District and the relevant events took place in the Eastern District. Harper opposes the motion, but it is clear from defendants' submissions that venue is proper only in the Eastern District of Wisconsin. *See* 28 U.S.C. § 1391(b) (venue is proper where defendants reside or where the events giving rise to the claim took place). I conclude that transfer, rather than dismissal, is in the interests of justice. Accordingly, I will grant defendants' motion and will transfer this case to the Eastern District of Wisconsin.

ORDER

IT IS ORDERED that defendants' motion to transfer this case to the Eastern District of Wisconsin, Dkt. 11, is GRANTED. This case is TRANSFERRED to the Eastern District of

Wisconsin.

Entered March 18, 2020.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge